

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 2410 - HB 2572

February 7, 2012

SUMMARY OF BILL: Adds that a guilty plea, nolo contendere plea, or a finding of guilt for a felony arising out of an employee's or official's employment or official capacity constitutes malfeasance in office and requires forfeiture of retirement benefits from the Tennessee Consolidated Retirement System (TCRS), any superseded retirement system, or any other public pension system.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Current law provides that any Tennessee public employee or official, who is convicted of any state or federal felony arising out of the employee's or official's employment or official capacity, constituting malfeasance in office, shall forfeit their public retirement benefits.
- TCRS indicates that current law applies to anyone joining a Tennessee public pension plan after July 1, 1982, if convicted of such a felony in a Tennessee state court, and anyone joining on or after May 31, 1993, who is convicted of such a felony in any state or federal court.
- This bill provides additional language for the purpose of stating what constitutes a conviction. For the purposes of this fiscal note, a guilty plea, or a nolo contendere plea, has the same meaning as conviction as it is used in current law. In addition, any employee or official found guilty of a state or federal felony would have the same meaning as conviction as it is used in current law. As a result, any fiscal impact as a result of this bill would be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

/rnc

SB 2410 - HB 2572